

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

<p>TAL PROPERTIES OF POMONA, LLC, and AVROHOM MANES,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">-against-</p> <p>VILLAGE OF POMONA, BRETT YAGEL, MAYOR OF THE VILLAGE OF POMONA, and DORIS ULMAN,</p> <p style="text-align: center;"><i>Defendants.</i></p>	<p>17-CV-02928 (CS)</p> <p><u>NOTICE OF MOTION</u></p>
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PLEASE TAKE NOTICE that, upon the Declaration of Avrohom Manes, dated November 1, 2018, the Declaration of Noreen Shea, dated October 27, 2018, and the Declaration of Bradley J. Nash, dated November 2, 2018, and the accompanying memorandum of law, Plaintiffs TAL Properties of Pomona, LLC (“TAL Properties”) and Avrohom Manes (“Mr. Manes”) will move this Court, at The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, Room 621, 300 Quarropas Street, White Plains, NY 10601-4150, as soon as counsel may be heard, for an order:

- (1) Granting relief from the order of this Court, dated January 10, 2018, which granted Defendants’ motion to dismiss the Complaint (the “Order”), and the judgment of dismissal, entered on January 12, 2018 (the “Judgment”), pursuant to Fed. R. Civ. P. 60(b)(2), based on newly-discovered evidence, and 60(b)(3), based on Defendants’ failure to provide land and building records regarding comparable properties in response to Plaintiffs’ FOIL requests;
- (2) Granting leave to amend the Complaint based on the newly-discovered evidence, and to add additional claims relating to new acts of discrimination against Plaintiffs; and
- (3) Granting such other and further relief to Plaintiffs as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1, any opposition to this motion is due on or before November 16, 2018, and any reply papers in further support thereof are due on or before November 23, 2018.

Dated: New York, New York
November 2, 2018

Respectfully submitted,

SCHLAM STONE & DOLAN LLP

By: _____ /s/
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TO: (By ECF Filing)
All Counsel of Record